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12 JAMES JACOBS (EXEMPT FROM FEES, GOV. CODE §
13 6103)

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24 Attorneys for Plaintiff NETTA GRUTMAN

25 **UNITED STATES DISTRICT COURT**

26 **NORTHERN DISTRICT OF CALIFORNIA**

27 NETTA GRUTMAN,

CASE NO. 10-02347 JCS

28 Plaintiff,

**STIPULATION AND [PROPOSED] ORDER
ON DISMISSAL OF ACTION**

29 v.

30 THE REGENTS OF THE UNIVERSITY
31 OF CALIFORNIA, et al.,

32 Defendants.

STIPULATION

IT IS HEREBY STIPULATED BETWEEN PLAINTIFF NETTA GRUTMAN AND DEFENDANTS, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, TODD MCGREGOR AND JAMES JACOBS, THROUGH THEIR RESPECTIVE COUNSEL, AS FOLLOWS:

1. Plaintiff's first (for violation of the Americans with Disabilities Act (ADA)) and second (for violation of the Rehabilitation Act of 1973) claims for relief shall be dismissed with prejudice.

9 2. This matter shall be remanded to the Superior Court, County of San Francisco for
10 further proceedings.

11 3. All parties reserve their rights to seek the recovery of legal fees and costs at the
12 conclusion of this matter, except that no party shall be entitled to nor shall any party seek to
13 recover its costs or legal fees incurred with respect to the following: (1) defendants' removal of
14 this action from the State Court to the federal district court, (2) plaintiff's voluntary dismissal of
15 her federal claims, and (3) the remand of this matter to the State Court. No party waives its rights
16 to seek and recover legal fees and costs for the proceedings in federal district court, other than as
17 to the specific proceedings associated with the original removal and the subsequent dismissal of
18 the federal claims and remand of the action.

IT IS SO AGREED.

Dated: October 31, 2011

GORDON & REES LLP

By: /S/
MICHAEL D. BRUNO
JEROME SCHREIBSTEIN
Attorneys for Defendant THE REGENTS
OF THE UNIVERSITY OF CALIFORNIA,
TODD MCGREGOR and JAMES JACOBS

1 Dated: October 6, 2011

GERSTEN LAW GROUP

2 By: /S/ 
3 EHUD GERSTEN
4 Attorneys for Plaintiff

5 NETTA GRUTMAN

6 Dated: October ___, 2011

7 By: /S/ 
8 DAVID A. STEVENS
9 Attorneys for Plaintiff
NETTA GRUTMAN

ORDER

10 BASED ON THE FOREGOING AND GOOD CAUSE OTHERWISE APPEARING, the
11 Court Orders that:

12 1. Plaintiff's first (for violation of the Americans with Disabilities Act (ADA)) and
13 second (for violation of the Rehabilitation Act of 1973) claims for relief are hereby dismissed
14 with prejudice.

15 2. This matter is hereby remanded to the Superior Court, County of San Francisco for
16 further proceedings.

17 3. All parties retain their rights to seek the recovery of legal fees and costs at the
18 conclusion of this matter except that no party shall be entitled to nor shall any party seek to
19 recover its costs or legal fees incurred with respect to the following: (1) defendants' removal of
20 this action from the State Court to the federal district court, (2) plaintiff's voluntary dismissal of
21 her federal claims, and (3) the remand of this matter to the State Court. No party waives its rights
22 to seek and recover legal fees and costs for the proceedings in federal district court, other than as
23 to the specific proceedings associated with the original removal and the subsequent dismissal of
24 the federal claims and remand of the action.

25 IT IS SO ORDERED.

26 Dated:

27 By: _____
28 Honorable Joseph C. Spero
3 United States Magistrate Judge

Dated: October , 2011

GERSTEN LAW GROUP

By: /S/
EHUD GERSTEN
Attorneys for Plaintiff

Dated: October 5, 2011

By: /S/
DAVID A. STEVENS
Attorneys for Plaintiff
NETTA GRUTMAN

ORDER

BASED ON THE FOREGOING AND GOOD CAUSE OTHERWISE APPEARING, the Court Orders that:

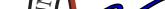
1. Plaintiff's first (for violation of the Americans with Disabilities Act (ADA)) and second (for violation of the Rehabilitation Act of 1973) claims for relief are hereby dismissed with prejudice.

2. This matter is hereby remanded to the Superior Court, County of San Francisco for further proceedings.

3. All parties retain their rights to seek the recovery of legal fees and costs at the conclusion of this matter except that no party shall be entitled to nor shall any party seek to recover its costs or legal fees incurred with respect to the following: (1) defendants' removal of this action from the State Court to the federal district court, (2) plaintiff's voluntary dismissal of her federal claims, and (3) the remand of this matter to the State Court. No party waives its rights to seek and recover legal fees and costs for the proceedings in federal district court, other than as to the specific proceedings associated with the original removal and the subsequent dismissal of the federal claims and remand of the action.

IT IS SO ORDERED.

Dated: 11/7/11

By: 
Judge Joseph C. Spero
Magistrate Judge